



US Army Corps
of Engineers
Alaska District

Regulatory Branch (1145b)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-6

Public Notice of Application for Permit

PUBLIC NOTICE DATE 11 March 2003
EXPIRATION DATE: 0 April 2003
REFERENCE NUMBER 4-2000-1071
WATERWAY NUMBER Little Campbell Creek 38

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plans.

APPLICANT: Little Brook LLC, 9210 Vanguard Drive Suite 102 Anchorage Alaska 99507

LOCATION: Right-of-way for 88th Avenue across the south fork of Little Campbell Creek, Tract B, Little Brook Subdivision, south ½, section 9, T. 12 N., R. 3W., S.M., Anchorage, Alaska. 61 degrees 08' 30" N., 149 degrees 49' 07" W.

WORK: Discharge 2,500 cubic yards of gravel and 150 cubic yards of top soil in 0.345 acre of waters of the United States, including Little Campbell Creek (5,100 square feet) to install a 12-inch diameter water line, a bottomless box culvert, and the extension of 88th Avenue.

PURPOSE: Extend 12-inch diameter water line and 88th Avenue across Little Campbell Creek and adjacent wetlands.

ADDITIONAL INFORMATION: In addition, 2,000 cubic yards will be excavated. The Proposed excavation would be limited to the removal of unsuitable road construction soil east and west of the box culvert. No excavation would occur within the stream bed itself except along the edge of the proposed box culvert to allow the placement of approximately 4 cubic yards of foundation material for the small concrete abutments of the box culvert. The proposed water main would be bored under the existing stream and would not require trenching across Little Campbell Creek. The proposed construction method would be to place sand bags temporarily within the creek to restrict the existing channel and allow the construction of the abutments and placement of the boxed culvert. After construction is complete, the sand bags would be removed and the sides of the box culvert would be the new banks of the creek in this location. Little Campbell Creek is an anadromous fish stream in this area. The proposed work is a requirement of the Municipal Platting Board to connect East 88th Avenue between Little Brook Subdivision and the existing development to the west, Dora III Subdivision. The depth below the

bottom of the creek to the tops of the new water line and the existing water line and sanitary sewer is approximately 8 feet. The distance from the upstream end to the downstream end of the bottomless culvert would be 51 feet; the distance from the center of the left bank abutment to the center of the right bank abutment would be 10 feet.

A General Permit, B-2000-1071, Little Campbell Creek- 01-A was verified on April 11, 2001, for discharge of fill and mechanical clearing of 9.23 acres of C-designated wetlands in Wetland Unit 68 for construction of 111 single family dwelling units with public streets, private driveways, public water, sanitary sewer and storm drain lines, both public and private water, sewer and footing drain connections, underground power, telephone, cable and gas lines. Phase I has been constructed; Phase II is anticipated to be constructed this year. All disturbed areas would be revegetated.

Additional information may be obtained from Bruce Brown of Professional and Technical Services, agent for the applicant, at 561-7132, or by calling Eric Hohman of Spinell Homes at 344-5678.

MITIGATION: As a result of preapplication coordination, the applicant has proposed a bottomless box culvert for the crossing to reduce impacts to the aquatic environment and to bore the water line.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c) (3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c) (3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Management and Budget, Division of Governmental Coordination has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity may adversely affect EFH. The proposed work may affect approximately 0.12 acre of EFH for salmon. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans. A bottomless box culvert is proposed.

SPECIAL AREA DESIGNATION None

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all those factors, which become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the

preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Dr. Mary Lee Plumb-Mentjes at 753-2724, if further information is desired concerning this notice.

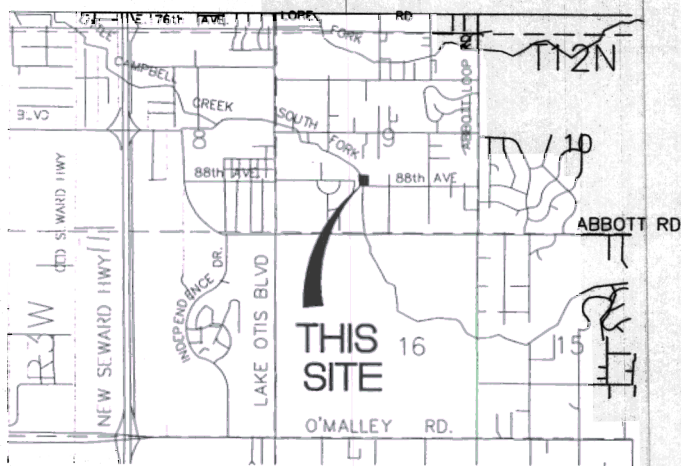
AUTHORITY: This permit will be issued or denied under the following authority:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

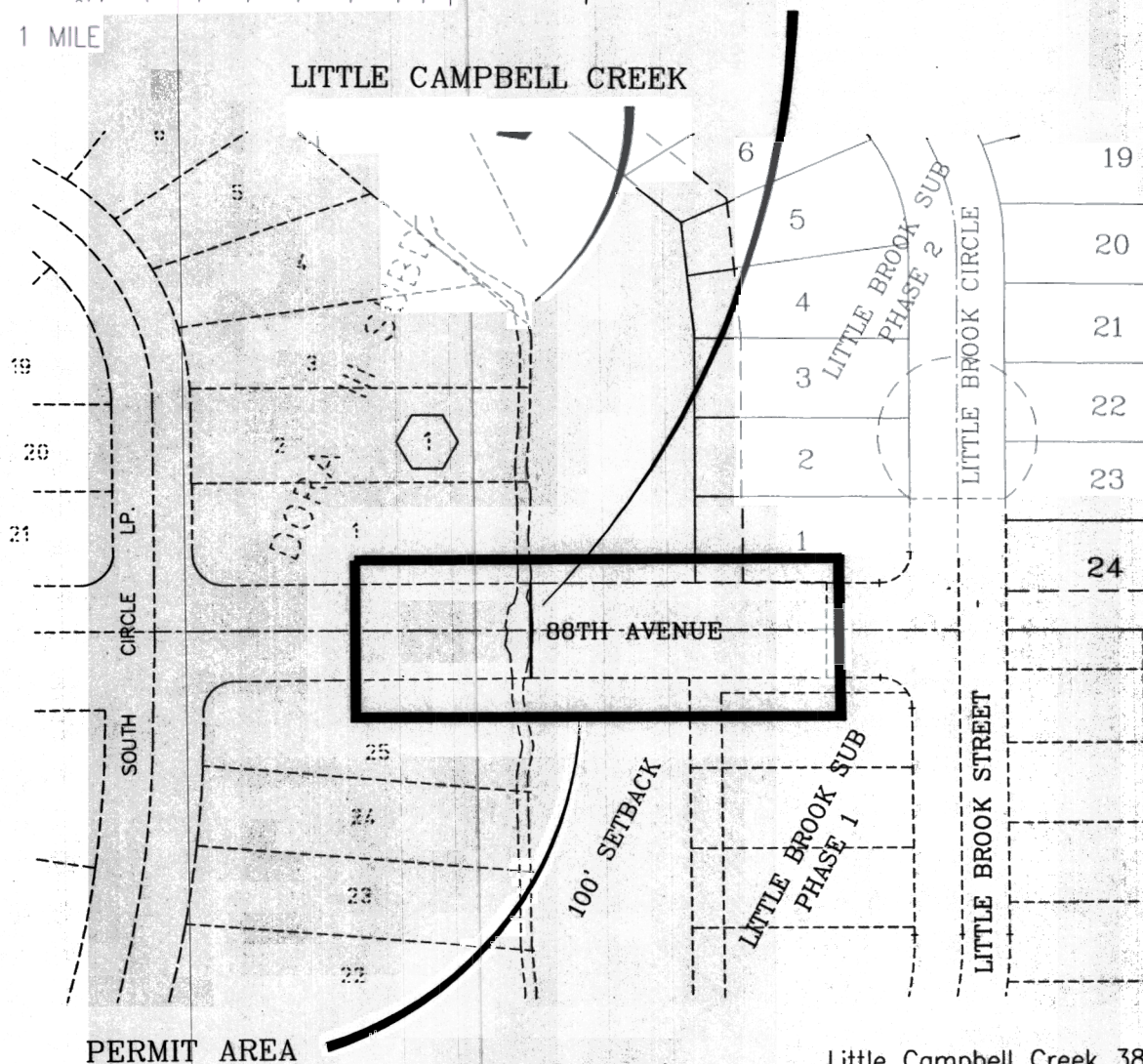
Plans, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



SCALE: 1" = 1 MILE



SCALE: 1" = 100'

Little Campbell Creek 38
4-2000-1071

PURPOSE: CONSTRUCT ROAD
BETWEEN LITTLE BROOK SUBDIVISION
AND DORA III SUBDIVISION

DATUM: MEAN SEA LEVEL

APPLICANT: LITTLE BROOK, LLC
9210 Vanguard Dr. Suite 102
Anchorage, AK 99507

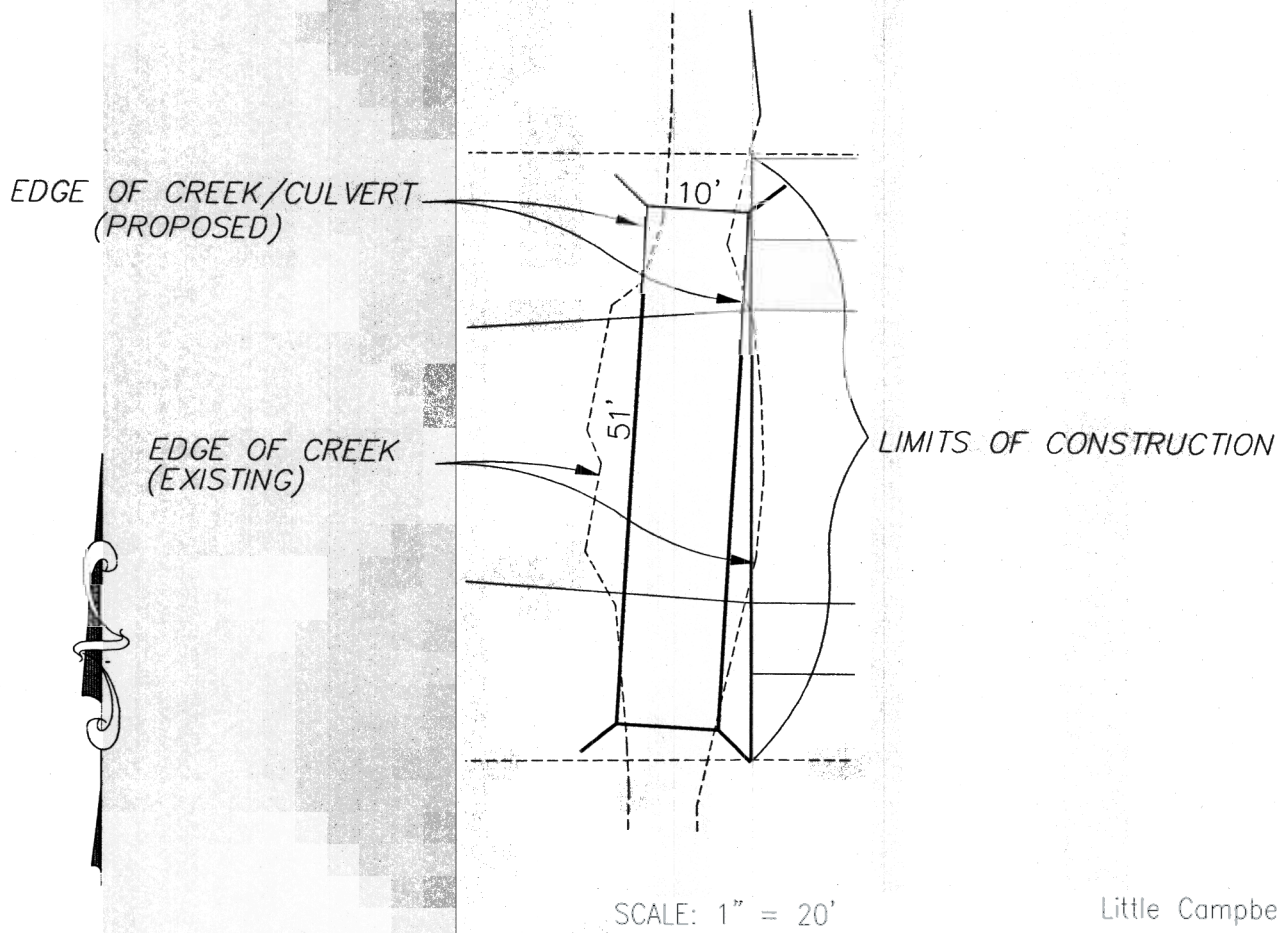
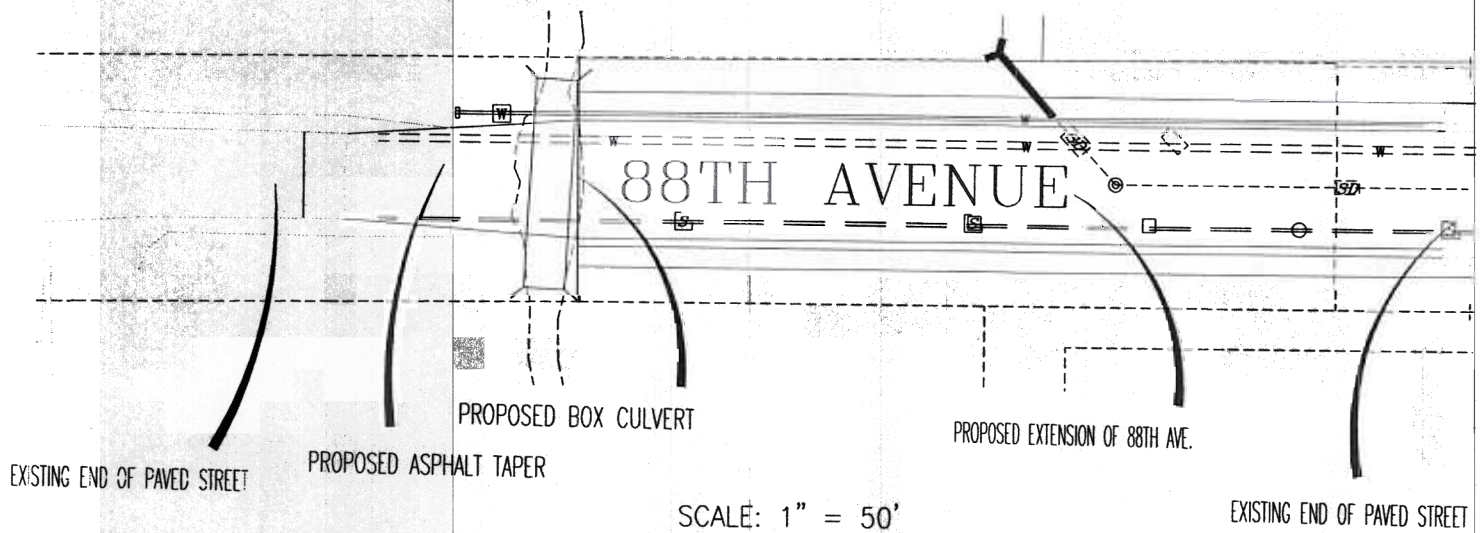
VICINITY MAP

LITTLE CAMPBELL CREEK CROSSING

PROFESSIONAL AND TECHNICAL SERVICES, INC.
CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
912 E. 15TH AVE, SUITE 102, ANCHORAGE, ALASKA 99501 (907) 561-6237

PROPOSED ROAD AND STREAM XING
REQUIRING EXCAVATION OF PEAT AND
REPLACEMENT/DISCHARGE OF GRAVELS
IN: CLASS "A" WETLANDS
AT: LITTLE CAMPBELL CREEK
/88th AVE. CROSSING

SHEET 1 OF 4 DATE 2/17/03



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CROSSING PLAN VIEW

LITTLE CAMPBELL CREEK CROSSING

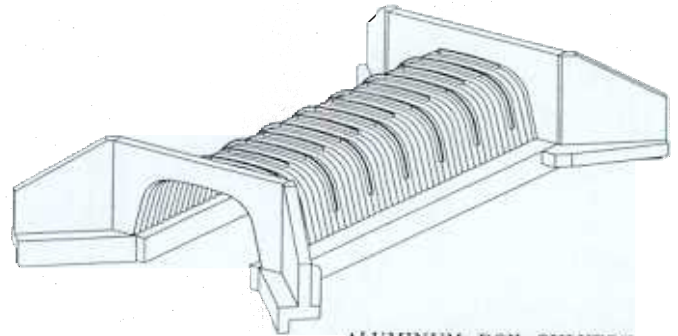
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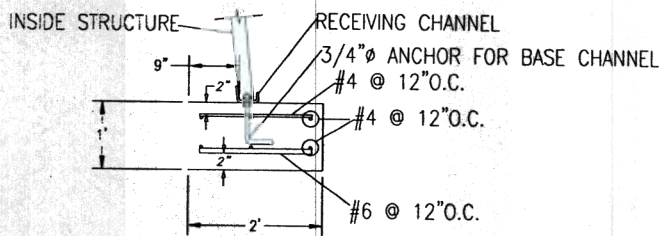
SHEET 2 OF 4 DATE 2/17/03

ALUMINUM BOX CULVERT

PROPOSED TEMPORARY SANDBAG CHANNEL RESTRICTION DURING CONSTRUCTION. BANKS TO BE PROTECTED WITH SILT FENCING DURING CONSTRUCTION

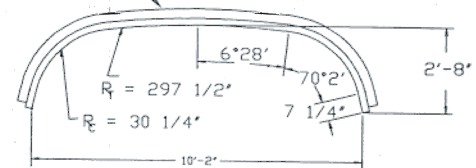


ALUMINUM BOX CULVERT
ISOMETRIC VIEW



FOOTING DETAIL

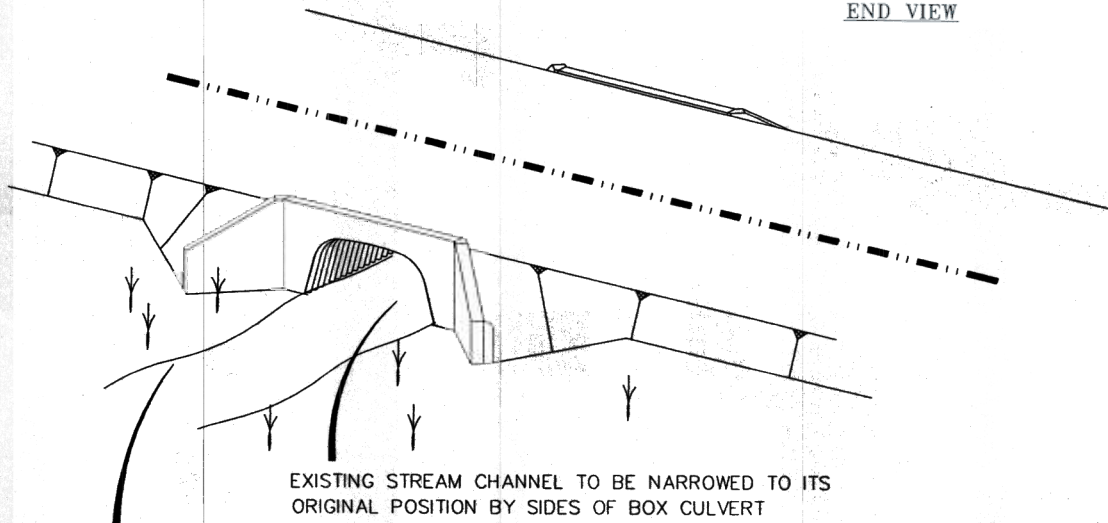
REINFORCING RIB



APPROX. AREA = 23.0 SQ. FT.

ALUMINUM BOX CULVERT
END VIEW

SCALE: NTS



Little Campbell Creek 38
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BETWEEN LITTLE BROOK SUBDIVISION
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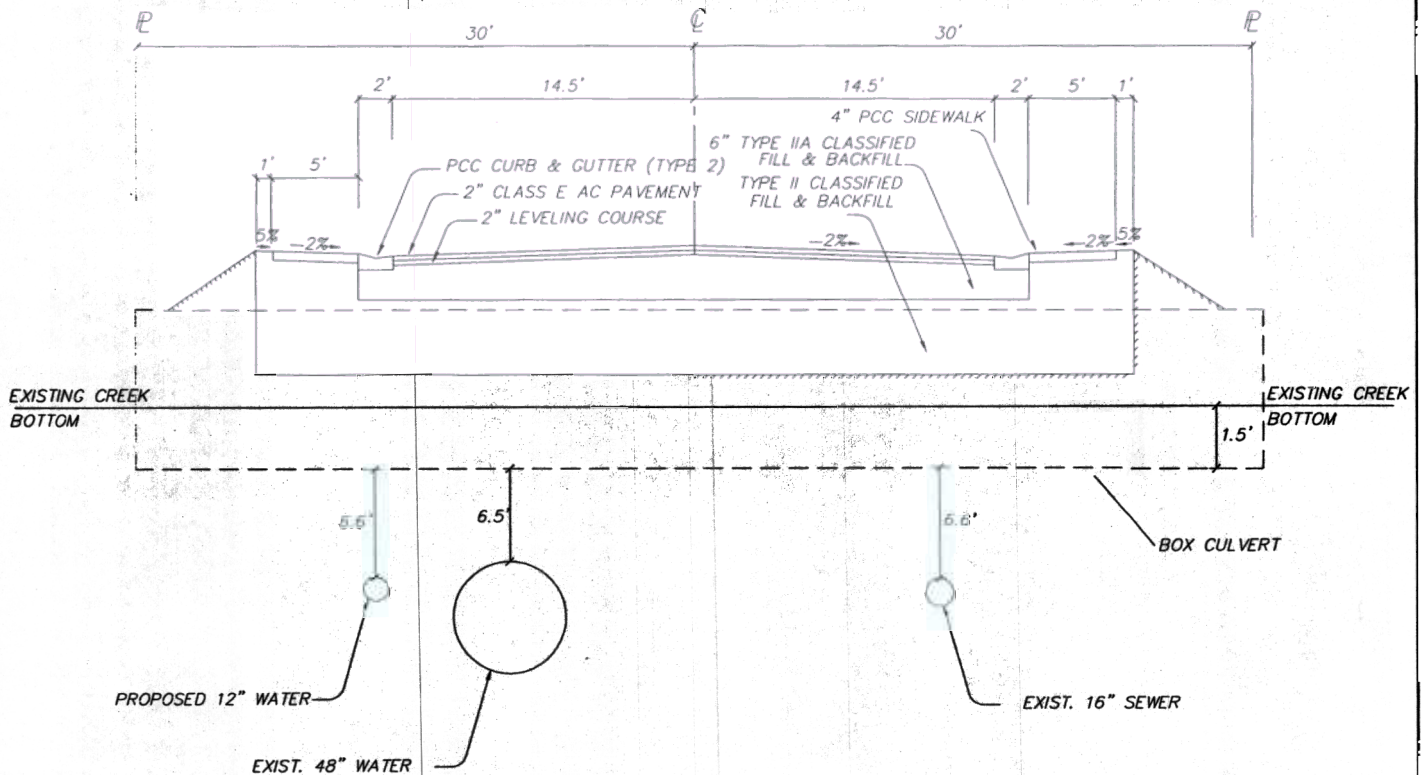
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APPLICANT: LITTLE BROOK, LLC
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CROSSING DETAILS LITTLE CAMPBELL CREEK CROSSING

PROFESSIONAL AND TECHNICAL SERVICES, INC.
CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
612 E. 15TH AVE. SUITE 102, ANCHORAGE, ALASKA 99501 (907) 581-6237

PROPOSED ROAD AND STREAM XING
REQUIRING EXCAVATION OF PEAT AND
REPLACEMENT/DISCHARGE OF GRAVELS
IN: CLASS "A" WETLANDS
AT: LITTLE CAMPBELL CREEK
/88th AVE. CROSSING
SHEET 3 OF 4 DATE 2/17/03



88th Ave. @ CREEK CROSSING (Facing East)

NOTES

- 1) APPROXIMATELY 2,000 C.Y. OF PEAT TO BE EXCAVATED
- 2) APPROXIMATELY 2,500 C.Y. OF GRAVEL TO BE IMPORTED/DISCHARGED
- 3) APPROXIMATELY 150 C.Y. OF TOPSOIL TO BE IMPORTED/DISCHARGED
- 4) ALL DISTURBED AREAS TO BE RE-VEGETATED

SCALE: NTS

Little Campbell Creek 38
4-2000-1071

PURPOSE: CONSTRUCT ROAD
BETWEEN LITTLE BROOK SUBDIVISION
AND DORA III SUBDIVISION

DATUM: MEAN SEA LEVEL

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ROAD SECTION VIEW LITTLE CAMPBELL CREEK CROSSING

PROFESSIONAL AND TECHNICAL SERVICES, INC.
CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
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IN: CLASS "A" WETLANDS
AT: LITTLE CAMPBELL CREEK
/88th AVE. CROSSING
SHEET 4 OF 4 DATE 2/17/03

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF AIR AND WATER QUALITY

Non-Point Source Control Section

401 Certification Program

**NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION**

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. 4-2000-1071, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-7564
FAX: (907) 269-7508

STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF GOVERNMENTAL COORDINATION

SOUTHCENTRAL REGIONAL OFFICE
550 West 7th Avenue, Suite 1660
ANCHORAGE, ALASKA 99501-3568
PHONE: (907) 269-7470/FAX: (907) 269-3981

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Division of Governmental Coordination for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. 4-2000-1071, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Alaska Division of Governmental Coordination. For information about this consistency review, contact DGC at (907) 269-7470 or (907) 465-3562, or visit the DGC web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

Attachment 3